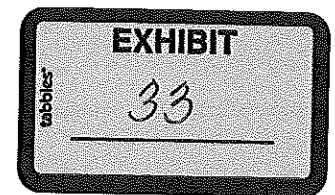




The Metropolitan District
water supply • environmental services • geographic information



Metropolitan District Testimony on Proposed Stream Flow Standards and Regulations January 21, 2010

The Metropolitan District Commission (MDC), established as a municipality in 1929 to provide water and sewer services to Hartford and certain other member towns, is affected in several significant ways by the proposed Stream Flow Standards and Regulations and I am here today to request your consideration of the issues which we will raise today and those issues which will be described in greater detail in a written submission which will follow.

As a regional agency, the MDC supplies drinking water to nearly 400,000 people in our 8 member towns as well other non member towns within our 20 mile service radius. The founders of the MDC engineered a regional water supply system that has endured a century of growth and yet remains a viable system into its second century of service.

With the regulations as proposed by the Department of Environmental Protection, the District's ability to continue as a regional water supplier undoubtedly will be impacted. You have heard and will hear concerns expressed by others regarding the impact of these proposed regulations on the water utility's "margin of safety," as determined by the State Department of Public Health. MDC echoes these concerns and notes that, given a projected reduction in our margin of safety from a current 31% to 7% in 2012, (if releases are determined under class 3) its ability to service its existing customer base and its ability to accommodate future needs will be severely compromised.

In addition, the ensuing reductions in reservoir levels to meet releases under these proposed regulations will lower the hydraulic head available and thereby reduce the capacity of the gravity transmission mains serving the treatment facilities, the subsequent lower water surface elevation would have the potential to alter the water quality due to a shallower depth of withdrawal, and drought frequency would increase from once in 15 years to once in 3 years.

The MDC's primary concern with the proposed regulation is that it does not take into consideration the MDC's releases under its existing Stream Flow Management Plan of the Farmington River which has been in place for twenty years, a factor that must be taken into consideration by the DEP in its deliberations. The MDC's network of reservoirs, including the West Branch of the Farmington River, already as a system, releases significantly more water to the Farmington River than the regulation would require. Yet, the regulation fails to take this into account.

Specifically, the proposed regulations will have an impact on the reservoirs maintained by the MDC including Reservoirs 1,2,3,5& 6, Nepaug, Barkhamsted, Lake McDonough, West Branch and Colebrook River Lake. Reservoirs 5 and 6 act generally as storage facilities accepting flow from transmission mains from Barkhamsted and Nepaug, the two supply reservoirs, prior to

treatment for distribution and each of the reservoirs has very small natural drainage area. Nepaug Reservoir, constructed between 1914 and 1919, combines the watersheds of the Nepaug River and Phelps Brook, with release capability only on the Nepaug River. The Nepaug Reservoir serves not only the MDC service area, but also Collinsville as well as the City of New Britain, which has the right to demand up to 5 million gallons per day (MGD) from the reservoir. It is possible that New Britain would exercise this right if the safe yield of the New Britain reservoir supply is diminished by the proposed regulations.

To compensate for the loss of flow in the Farmington River from the construction of the Nepaug Reservoir, Lake McDonough, formerly referred to as a "Compensating Reservoir," was constructed from 1915 to 1920 on the East Branch of the Farmington River to provide releases to meet the riparian stream flow uses.

The Barkhamsted Reservoir, constructed from 1933 to 1940 and located on the East Branch of the Farmington River, provides water to both treatment facilities of the MDC. Lake McDonough ultimately became a recreation facility which now serves between 50,000 to 70,000 visitors per year, many of whom visit from the State's urban areas. The downstream riparian releases were satisfied by the West Branch with the construction of the Goodwin Dam followed by the Colebrook Corps of Engineers Flood Control dam and lake just upstream. MDC maintains hydropower facilities on both of these dams.

All of these "assets" are carefully managed by the MDC and the existing stream flow management of the Farmington River provides for year round recreation, fishing, habitat, and scenic value which led to the designation of the West Branch as a Wild and Scenic River by the United States Congress in 1995 from the toe of the Goodwin Dam to Canton. The management plan maintains flow in the river well above the release required under the proposed regulation and creates a unique cold water fishery; while providing for hydropower, flood control, the potential for future drinking water supply and downstream waste water assimilation.

The management of the Farmington River, which developed over time with the Corps of Engineers, the DEP, the "Allied Towns", the Farmington River Power Company and other riparian users, was studied thoroughly by the US National Park Service in the course of its designation as a Wild and Scenic River. The study of the river included an "in-stream flow analysis," evaluating river conditions at all flow regimes including the flows from the East Branch and other tributaries. The current management provides for flood control storage, hydropower during higher flow periods, maintenance of cold water and anadromous fisheries, a wide variety of fishing and boating and scenic resources and includes the potential for a future water supply while maintaining these other "wildlife" uses. It also provides a minimum flow in the river well above a "natural" condition before the reservoirs were constructed.

We think the impact to the current management of the stream flow in the Farmington River Basin by the application of the proposed regulations will not be beneficial to the habitat and uses of the watershed, and we encourage you to consider the acceptance of the Wild and Scenic designation in-stream flow analysis and resulting management plan as an option for a

defined management plan. The resulting releases from the Barkhamsted and Nepaug Reservoirs should be addressed within this management plan. This will partially allay the concerns that the MDC has with the proposed regulations.

The existing stream flow management plan also allows the MDC the ability maintain a recreational facility at Lake McDonough which, as noted above, serves between 50,000 to 70,000 visitors per year. The proposed regulations could require MDC to consider increased releases through Lake McDonough, which could eliminate the recreational swimming, boating and fishing opportunities it currently provides to residents from the greater Hartford area.

We respect the desire of the DEP to propose regulations which establish appropriate standards for both water supply and wildlife; however, these proposed regulations may not achieve the goals of all interested parties, including the MDC. Although we have presented some of our concerns in this testimony, there are others that 3 minutes worth of testimony would not do justice to. The concerns expressed by us today as well as our other concerns will be articulated in greater detail in the written testimony submitted by the deadline.